

**PART 128-48 – UTILIZATION, DONATION, OR DISPOSAL OF
ABANDONED AND FORFEITED PERSONAL PROPERTY**

§ 128-48.001 Definitions

§ 128-48.001-5 Forfeited property

Personal property acquired by a bureau, either by administrative process or by order of a court of competent jurisdiction pursuant to any law of the United States.

43 FR 3279, Jan. 24, 1978, unless otherwise noted.

41 CFR 128-1.105.

§ 128-48.001-50 Administrative or summary process.

Forfeiture is achieved by direction of the seizing bureau in lieu of the courts.

The phrase shall be interpreted to mean by administrative process.

43 FR 3279, Jan. 24, 1978, unless otherwise noted.

41 CFR 128-1.105.

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**Subpart 128-48.1 – Utilization of Abandoned and Forfeited Personal
Property**

§ 128-48.102-1 Vesting of title in the United States.

(a) Abandoned or other unclaimed property, subject to the provisions of Section 201 of the Federal Property and Administrative Services Act of 1949 (as amended) (41 CFR 101-11.6), shall remain in the custody of and under the responsibility of the bureau finding such property.

(b) If the owner of such property is known, the owner shall be notified within 30 days of finding such property by certified mail at the owner's address on record. If the property is abandoned by the owner or his designee and that the property is not claimed within 30 days from the date the letter of notification is postmarked, the title of the property will vest in the United States.

(c) If the owner of such property is not known and the estimated value of the property exceeds \$100, the bureau shall post notice within 20 days of finding such property, which contains the following information:

- (1) A description of the property including model or serial numbers, if known.
- (2) A statement of the location where the property was found and the office that has custody of it.
- (3) A statement that any person desiring to claim the property must file with the bureau within 30 days from the date of first publication a claim for said property.
- (4) A complete mailing address is to be provided as a point of contact within the bureau for any person to obtain additional information concerning the property or the procedures involved in filing a claim.

Notice must be published a week for at least three successive weeks. Sound judgment and discretion must be used in selecting the publication medium. Advertisements should be placed in a publication of general circulation within the judicial district where the property was found.

(d) Property, as described in paragraphs (b) and (c) of this section, shall be held for a period of 30 days from the date of the first publication of notice. Upon the expiration of this 30-day period, title to such property vests in the United States, except that title reverts to the owner where a proper claim is filed within three years from the date of vesting of title in the United States, but if the property has been in official use, transferred for official use, or sold at the time the proper claim is approved, title shall not revert back to the former owner. The former owner shall instead

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obtain reimbursement in accordance with 41 CFR 101-48.102-4 or 101-48.305-1.

(e) If the owner of such property is unknown and the estimated value of the property is \$100 or less, no notice is required, and the property shall be held for a period of 30 days from the date of finding the property. Upon expiration of this 30-day period, title to such property vests in the United States.

43 FR 3279, Jan. 24, 1978, unless otherwise noted.

41 CFR 128-1.105.

§ 128-48.102-4 Proceeds

(a) Records of abandoned or other unclaimed property will be maintained in such a manner as to permit identification of the property with the original owner if known when such property is put into official use or transferred to the custody of the finding bureau. Records will be maintained for the three-year period for filing claims has lapsed to enable the bureau to determine the amount of reimbursement due to a former owner who has filed a proper claim for abandoned or other unclaimed property.

(b) Reimbursement for official use by the finding bureau or transfer for official use of abandoned or other unclaimed property that has been placed in a special fund by the bureau for more than three years shall be deposited in the Treasury of the United States as miscellaneous receipts, or in such other bureau accounts as provided by law.

43 FR 3279, Jan. 24, 1978, unless otherwise noted.

41 CFR 128-1.105.

§ 128-48.150 Determination of type of property.

If a bureau is unable to determine whether the personal property in its custody is abandoned or voluntarily abandoned, the bureau shall contact the regional office of the General Services Administration for the region in which the property is located for such a determination.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, . Case No. 97-110(JAF)

Plaintiff, .

vs .

JOSE RAMOS CARTAGENA, et al..

Defendants. .

AFTERNOON SESSION

BEFORE THE HONORABLE JOSE A. FUSTE

Wednesday, June 3, 1988

JURY TRIAL

1 A. Yes.
 2 Q. Where did you go to?
 3 A. To Discovery Zone, because it was my kid's
 4 birthday.
 5 Q. In the afternoon, did you receive a call there?
 6 A. Yes.
 7 Q. Who called you at the Discovery Zone?
 8 A. Yes, sir.
 9 Q. Did you ever speak to Jessica Vega Coreano again
 10 after that?
 11 A. No.
 12 Q. During that conversation, what did you say to her?
 13 A. That the FBI had done a search at her house.
 14 Q. Did you make arrangements -- what did you do wi
 15 Jessica's child?
 16 A. I had kept her with me.
 17 Q. Did you continue to keep her with you, then?
 18 A. No. Later I left her with another girlfriend of
 19 ours, so that she would keep her while I would go to wo
 20 Q. During the days after the robbery, did you see
 21 Cheito again?
 22 A. No.
 23 Q. Did you know Hochi to have a job?
 24 A. No.
 25 Q. Did you know anything about a truck that he own

1 A. A tow truck.
 2 Q. Tell us about that tow truck of Hochi's.
 3 A. The tow truck was his, but he was not driving it,
 4 he was renting it out to somebody else.
 5 Q. Do you know how much he made from renting tha
 6 truck out?
 7 A. No.
 8 Q. Did you know Cheito to have a job?
 9 A. No.
 10 Q. Did you know Cheito to own any vehicles or
 11 recreational vehicles?
 12 A. No. Not before the robbery.
 13 Q. How about after the robbery?
 14 A. Yes.
 15 Q. I used the word "owned," but I meant "be in
 16 possession of." Do you understand the difference?
 17 THE INTERPRETER: Counsel, the translation was fo
 18 owned that was given to the witness. It was "have,"
 19 technically "to have." Did he "have" a vehicle?
 20 MS. DAVIS: If that was the translation, then that
 21 was fine.
 22 BY MS. DAVIS:
 23 Q. What vehicle did you see him in possession of afte
 24 the robbery?
 25 A. A Jet Ski.



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634P.O. Box 366269
Hato Rey, Puerto Rico 00918
April 6, 2006

CERTIFIED RETURN RECEIPT

Mr. Jose R. Ramos-Carragena
Inmate Number 14857-069
USP Coleman 1
US Penitentiary
P.O. Box 1033
Coleman, FL 33521RE: \$1,820.00 US Currency
Abandonment Case Number: 3800-06-A-002

On May 31, 1998, the Federal Bureau of Investigation
(FBI) seized the above-mentioned property.

The Federal Bureau of Investigation is in possession of
the above-referenced property.

As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1.

You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim, the claim, the FBI will conduct an investigation into the
merits of the claim. This will be the only notice you receive
concerning this property.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in ChargeBy: *[Signature]*
C. Michael Haines
Chief Division Counsel



U.S. Department of Justice
Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634

P.O. Box 366269
Hato Rey, Puerto Rico 00918
April 6, 2006

CERTIFIED RETURN RECEIPT

Mr. Jose R. Ramos-Carlagena
Immense Number 14857-069
P.O. Box 103
Coleman, FL 33521

RE: \$230.63 US Currency
Abandonment Case Number: 3800-06-A-002

On May 31, 1998, the Federal Bureau of Investigation
(FBI) seized the above-mentioned property.

The Federal Bureau of Investigation is in possession of
the above-referenced property.

As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1..

You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim, the claim, the FBI will conduct an investigation into the
merits of the claim. This will be the only notice you receive
concerning this property.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge

By: *[Signature]*
C. Michael Faries
Chief Division Counsel



U.S. Department of Justice
Federal Bureau of Investigation

In Reply, Please Refer to
File No.
192C-SJ-34634

P.O. Box 366269
Hato Rey, Puerto Rico, 00918.
July 17, 2006.

CERTIFIED RETURN RECEIPT

Mr. José R. Ramos-Carragena
Passport No. 14847-069
c/o Coleman USP-I
P.O. Box 1033
Coleman, FL 33521-1033.

RE: Claim On Seized Property
Abandonment Case Number: 3800-06-A-002

We received your letter claiming the following seized
property:

\$ 1,820.00	US Currency
230.63	US Currency
=====	
\$ 2,050.63	Total Claimed

cc:file

However, we must refer to the last paragraph of the notices sent to your attention on April 6, 2006. It states that the claim must be in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-.503, must be supported by documentary evidence establishing your valid, good faith interest in the property. Upon receipt of the claim, the FBI will conduct an investigation into the merits of the claim.

You are advised that, if the aforementioned documents are not submitted within the next twenty (20) days from the date postmarked on this second notice, title will vest in the United States pursuant to Title 41, Code of Federal Regulations (C.F.R.), Section 128-48.102.1.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge

By: *[Signature]*
C. Michael Farles
Chief Division Counsel



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634

P.O.Box 366269
Hato Rey, P.R. 00936-6269.
August 31, 2006
CERTIFIED RETURN RECEIPT

Mr. José R. Ramos-Cartagena
Register #14847-069
FCC Coleman USP-I
P.O. Box 1033
Coleman, FL 33521-1033.

RE:Case ID 192C-SJ-34634
Abandonment Case

Dear Sir:

We received your letter and sworn statement claiming the following seized property:

\$ 1,820.00 US Currency
\$ 230.63 US Currency
=====

\$ 2,050.63 Total US Currency

However, we must refer to the last paragraph of the notice sent to your attention on July 24, 2006. It states that the claim must be in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48.503, must be supported by documentary evidence establishing your valid, good faith interest in the property. The FBI cannot adjudicate ownership if the appropriate requested evidence is not submitted by the claimant.

You are advised that, if the aforementioned documents are not submitted within the next twenty (20) days from the date postmarked on this second notice, title will vest in the United States pursuant to Title 41, Code of Federal Regulations (C.F.R.), Section 128-48.102.1.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge

By: 
C. Michael Faries
Chief Division Counsel



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634

P.O. Box 366269
Hato Rey, Puerto Rico 00918
July 11, 2006

CERTIFIED RETURN RECEIPT

Mr. José Ramos-Cartagena
Register # 148857-069,
USP Coleman Penitentiary, P.O. Box 1033,
Coleman, FL. 33521.

RE: \$445.00 US Currency
Abandonment Case Number: 3800-06-A-026

Mr. José Ramos-Cartagena:

On May 28, 1997, the Federal Bureau of Investigation
(FBI) seized the above-mentioned property.

The Federal Bureau of Investigation is in possession of
the above referenced property:

As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1..

You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim, the claim, the FBI will conduct an investigation into the
merits of the claim. This will be the only notice you receive
concerning this property.

Sincerely Yours,

Luis S. Patricelli
Special Agent in Charge
By: *[Signature]*
C. Michael Farfès
Chief Division Counsel



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634P.O. Box 366269
Hato Rey, Puerto Rico 00918
July 11, 2006

CERTIFIED RETURN RECEIPT

Mr. José Ramos-Carriagena
P.O. Box # 148857-069,
SP Coleman Penitentiary, P.O. Box 1033,
Orlando, FL 32821.RE:\$70.00 US Currency
Abandonment Case Number:3800-06-A-026

Mr. Ramos-Carriagena:

On May 28, 1997, the Federal Bureau of Investigation
seized the above-mentioned property.
The Federal Bureau of Investigation is in possession of
the above referenced property:

As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1...

You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim, the claim, the FBI will conduct an investigation into the
merits of the claim. This will be the only notice you receive
concerning this property.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge
By: *[Signature]*
C. Michael Fayles
Chief Division Counsel



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SU-34634P.O. Box 366269
Hato Rey, Puerto Rico 00918
July 11, 2006

CERTIFIED RETURN RECEIPT

Mr. José Ramos-Carlagena
Register # 148857-069,
192C Coleman Penitentiary, P.O. Box 1033,
San Juan, P.R. 33521.RE: One Gold Bracelet
Abandonment Case Number: 3800-06-A-029

Mr. Ramos-Carlagena:

On May 28, 1997, the Federal Bureau of Investigation
seized the above-mentioned property.The Federal Bureau of Investigation is in possession of
the above referenced property:As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1...You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim, the claim, the FBI will conduct an investigation into the
merits of the claim. This will be the only notice you receive
concerning this property.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge
By *[Signature]*
C. Michael Farley
Chief Division Counsel



U.S. Department of Justice
Federal Bureau of Investigation

In Reply, Please Refer to
File No. 192C-SJ-34634

P.O. Box 366269
San Juan, P.R. 00936-6269.
July 24, 2006

CERTIFIED RETURN RECEIPT

Jose F. Ramos-Cartagena
Register # 14847-069
POC Coleman USP-I
P.O. Box 1033
Caguas, P.R. 33521-1033.

RE: Case ID 192C-SJ-34634
Abandonment Case

On May 28, 1997, the Federal Bureau of Investigation
(FBI) seized the following property:

\$ 801.45 US Currency
\$ 954.00 US Currency
=====

As required by federal regulations, you are hereby
advised that you have thirty (30) days from the date postmarked
on this letter to claim the above-described property. If the
property is not claimed by that date, title will vest in the
United States pursuant to Title 41, Code of Federal Regulations
(C.F.R.), Section 128-48.102.1.

You may claim the property by contacting Paralegal
Specialist Iris Garcia at telephone 759-1569. The claim must be
in writing, sworn, and, pursuant to 41 C.F.R. Section 128-48-
.503, must be supported by documentary evidence establishing your
valid, good faith interest in the property. Upon receipt of the
claim the FBI will conduct an investigation into the merits of
the claim. This will be the only notice you receive concerning
this property.

Sincerely Yours,

Luis S. Fraticelli
Special Agent in Charge
By: *[Signature]*
C. Michael Fabies
Chief Division Counsel